



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent

Application of: T. Mori

Serial Number : 09/099,382

Filed : June 18, 1998

For : MANUFACTURING METHOD OF PLANOGRAPHIC

PRINTING PLATE SUPPORT AND PRESENSITIZED PLANOGRAPHIC
PRINTING PLATE

Group Art Unit: 1741

Examiner : T. PARSONS

DECLARATION UNDER 37 C.F.R. 1.132

Hon. Commissioner of Patents

and Trademarks

Washington, D.C. 20231

Sir:

I, TAKAHIRO MORI, hereby declare and say as follows:

That I am a graduate from Tohoku University having been awarded a Bachelors Degree in Engineering in March 1984.

That since April 1984, I have been employed by Konica Corporation, the owner of the above-identified application. During my employment, I have been engaged in the research and the study of magnetic recording materials and presensitized planographic printing plate materials in the Research and Development Laboratory of my company.

That I am a sole inventor of the present application.

That I am familiar with the subject matter of the present invention.

What follows is an accurate summary of experiments conducted according to my detailed instructions and under my personal supervision, and the results obtained therefrom.

Tests and test results

1. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teng (6,242,156) in view of APA JP 10-869.

The Examiner states, "Teng teaches a printing plate material comprising a substrate, and a component layer provided thereon, the substrate having a center line average surface roughness Ra of from 0.2 to 1.0 micrometer. APA JP 10-869 teaches an oil-retention volume of from 1 to 10 (See applicants Spec, pages 19-20). It would have been obvious to modify Teng to have an oil-retention volume A2 of from 1 to 10 as taught by APA JP 10-869."

However, pages 19-20 explain that the electrolytic surface roughening method of APA JP 10-869 is a known roughening method that can be used under appropriate conditions to obtain the claimed Ra and A2, but do not teach the claimed Ra range.

In order to demonstrate that APA JP 10-869 does not always inherently produce the A2 range as claimed, tests were carried out, employing the APA JP 10-869 examples, which were considered to be best mode of APA JP 10-869.

2. Supports 1, 2, 3 and 4 were prepared in the same manner as in Examples 1-1, 1-2, 2-1, and 2-2 of APA JP 10-869, respectively (see Tables 2 and 3 in paragraphs [0174] and [0175] of APA JP 10-869).

Oil-retention volume A2 of the resulting supports was determined in the same manner as in Example 1 of the present Specification.

The results are shown in Table 6.

Table 6

Support No.	Electrolytical surface roughening condition	A2
1	Example 1-1 of APA JP 10-869	11.18
2	Example 1-2 of APA JP 10-869	11.05
3	Example 2-1 of APA JP 10-869	11.34
4	Example 2-2 of APA JP 10-869	11.09

As is apparent from Table 6 above, supports 1 through 4 as disclosed in the JP10-869 examples do not have an oil-retention volume A2 falling within the claimed range. That is, APA JP 10-869 does not always inherently produce the A2 range as claimed. Therefore, it would not have been obvious to one of ordinary skill in the art to obtain the claimed printing plate material over Teng in view of APA JP 10-869.

In view of the above, claim 1 and all the claims, which depend from claim 1, are in a situation of allowance.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: October 25, 2004

Takahiro Mori

TAKAHIRO MORI